



GEORGE W. LINDBERGH
COMPTROLLER
STATE OF ILLINOIS

December 2, 1975

201 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
217/782-6000

PAYROLL BULLETIN
(15-75)

TO: All State Agencies, Departments, Boards,
Commissions and Universities

SUBJECT: Revised Wage Deduction Summons Procedures

Recently the Illinois Supreme Court upheld the lower court decision that governmental employees are subject to wage deduction action. Based upon this decision, wage deduction summonses served on the State will be honored.

The Attorney General had all wage deduction actions continued in the courts until the decision was rendered. All deductions from state employees' wages in response to wage deduction summonses have been deposited into the Garnishment Fund. No payments were made to the judgment creditors pending the decision of the Supreme Court.

As a result of the decision, a review of the procedures outlined in Payroll Bulletin (2-75) was undertaken. The attached procedures replace procedures established in the previous bulletin. Numerous changes have been made and the procedures should be carefully reviewed.

In addition to reviewing the new procedures, each agency is requested to review all wage deduction summonses received prior to receipt of this bulletin. Two specific areas of review are required:

1. Interrogatories - The Attorney General's Office in Chicago advises that many of the interrogatories submitted to the Chicago Office cannot be filed with the courts. The Chicago Office indicates that the majority of the interrogatories submitted contain either erroneous information or insufficient information. EACH AGENCY MUST RESUBMIT INTERROGATORIES ON ALL WAGE DEDUCTION SUMMONSES ARISING OUT OF COOK, LAKE, WILL, MC HENRY, DUPAGE AND KANE COUNTIES.

The resubmitted interrogatories must be completed on the abbreviated form "ANSWER TO WAGE DEDUCTION SUMMONS", (Exhibit D, this bulletin). The completed forms should be submitted directly to the court issuing the summons; they should not be sent to the Attorney General. A copy of this form must be transmitted to the plaintiff's attorney named on the summons.

NOTE: On interrogatories filed for courts other than those in the counties cited above, resubmission is not required.

2. Multiple Summonses - Payroll Bulletin (2-75), page 2, instructed agencies to deduct wages only for the time period indicated on the summons. These instructions appear to have been erroneous.

Illinois Revised Statutes, 1973, Chapter 62, paragraph 77, §7 (C) states:

"A lien obtained hereunder shall have priority over any subsequent lien obtained hereunder. Subsequent summonses shall be effective for successive 60 day periods in the order in which they are served."

This section is interpreted to mean that each summons received by an employer must be honored for a full 60 day period or until the judgment is satisfied. See Section IV, C, this bulletin.

Thus, each summons received on an employee must be honored. If more than one summons was received on an individual employee, each summons should have been honored for 60 days.

Each agency should review all summonses received to date to determine if multiple summonses were received on the same employee covering the same or overlapping periods.

- a. If multiple summonses were received and no monies withheld in response to the subsequent summons(es), the agency should immediately begin deductions as required on the subsequent summons for a 60 day period. Multiple summonses should be applied on a priority (first come, first served) basis.

NOTE: If the employee's wages are currently subject to a wage deduction order (regardless of the date received), continue to withhold in accordance with the summons currently being honored until the summons is satisfied. Upon satisfaction, begin to withhold on prior summonses on the priority basis and follow the procedures outlined in this bulletin.

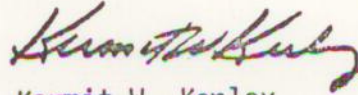
- b. If multiple summonses were received and partial withholding was effected on the subsequent summons(es), do not reapply the summons(es). In this case, the interrogatories should be filed showing the amount actually withheld.

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The attached procedures are effective immediately. Please contact me or Dave Dankoski at 782-1981 if you have any questions.

Very truly yours,

George W. Lindberg
Comptroller

A handwritten signature in blue ink, appearing to read "Kermit W. Kerley", with a stylized flourish at the end.

By: Kermit W. Kerley
Payroll Supervisor

KWK/ah
attachments

I STATUTORY DUTY OF EMPLOYER

The statutory duty of the employer (the particular state agency which employs the defendant named in the wage deduction summons) is prescribed by Section 7 of the Wage Deduction for Benefit of Creditors Act (Ill. Rev. Stat. 1973, ch. 72, par. 77) quoted below:

77. Duty of employer - Priority of lien

- (a) Any employer served as herein provided shall pay the employee the amount of his exempt wages.
- (b) To the extent of the amount due upon the judgment and costs, the employer shall hold, subject to order of court, any non-exempt wages due or which subsequently come due. The judgment or balance due thereon is a lien on wages due at the time of service of summons, and such lien shall continue as to subsequent earnings until the total amount due upon the judgment and costs is paid or until the expiration of the employer's payroll period ending immediately prior to 60 days after service of summons, whichever first occurs, except that such lien on subsequent earnings shall terminate sooner if the employment relationship is terminated or if the underlying judgment is vacated or modified.
- (c) The employer shall file, on or before the return date, but in no event sooner than 60 days after service of the summons, or within the further time that the court for cause may allow, a written answer under oath to the interrogatories, setting forth, any amount due as wages to the judgment debtor for the payroll periods ending immediately prior to 60 days after service of the summons.

A lien obtained hereunder shall have priority over any subsequent lien obtained hereunder. Subsequent summonses shall be effective for successive 60 day periods in the order in which they are served.

II RECEIPT OF SUMMONS

- A. The agency should determine if the defendant named in the wage deduction summons is an employee of the agency.

Steps to identify the employee might include:

1. A search of the agency payroll file

2. A search of the agency contractual service file
(persons paid on a C-02 voucher from contractual
services are subject to wage deduction summons)
3. A telephone call to the plaintiff's attorney
4. Other efforts made in good faith by the agency served.

If it is determined that the person named in the summons is not an employee of the agency see Answering Summonses, Section V.

- B. Upon receipt of a summons, the employing agency must immediately call the Comptroller's payroll office (217-782-1981) and provide the following information:
 1. Employee name
 2. Employee social security number
 3. Employee payroll code
 4. Total amount of judgment
 5. Judgment creditor name
 6. Date and time of the receipt of the summons and affidavit.
(The date and time of the receipt should be noted on the
summons and affidavit.)

III. DISTRIBUTION

- A. The agency receiving the summons and affidavit must provide copies of the documents to the following:
 1. Office of the Comptroller (within 5 days)
 2. The employee.
- B. Each agency should develop internal procedures to allow for proper distribution and processing of all summonses.
- C. Out-of-State summonses are not to be honored.
- D. Summons information is not to be transmitted to the Attorney General's Office except upon the receipt of:
 1. Notice of Conditional Judgment
 2. Notice of Contest to Wage Deduction Interrogatory Answers
 3. Subpoena Duces Tecum

4. Other legal processing requiring an in-court appearance
5. Out-of-State Summonses.

Addresses for the Attorney General's Offices are:

Counties of Cook DuPage, Lake, Will, Kane and McHenry:

Attorney General's Office
Room 850
160 North LaSalle Street
Chicago, Illinois 60601

RE: State employee wage deduction

All other counties:

Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

RE: State employee wage deduction

IV. WITHHOLDING PROCEDURES

- A. The "Wage Deduction Act" provides that the monies subject to deduction calculations are:

1. Any earnings due to the employee at the time of service of the summons
2. Any earnings that become due the employee until the expiration of the pay period immediately prior to 60 days from service of the summons.

NOTE: The agency is served with a summons on March 4, 1975, and the employee has not received payment for earnings for the February 16-28 pay period. The wage deduction, therefore, applies to the February 16-28 earnings. Additionally, earnings of the employee through the April 16-30 pay period are subject to wage deductions. The end of the next pay period, (May 1-15), is not within the 60 day pay period. Therefore, these earnings are not subject to the March 4 summons.

- B. If the summons indicates a lesser period of withholding than that shown above, withhold based on the instructions shown on the summons.
- C. If the subsequent summons is received while a prior summons is in effect, the subsequent summons should be honored for a full 60 day period. Day 1 of the 60 day period begins with the first day after the end of the pay-roll period which satisfied the first summons. All subsequent summonses shall be honored in the order in which they are served.

If the judgment amount of a summons is satisfied during a particular payroll period and non-exempt wages are left over, the remaining non-exempt wages may be withheld for a subsequent summons. In this situation, day 1 of the 60 day period for the subsequent summons begins on the last day of the particular payroll period.

- D. The agency is responsible for effecting any changes required on a payroll voucher that has not left the agency. Payrolls in process will be recalled by the agency for adjustments, if it will not result in a delayed payday for other employees. If a delay is probable, see "Special Processing", Section VIII.
- E. The Comptroller has established a fund (Garnishment Fund 659) to deposit monies deducted. Agencies will voucher payroll trailer warrants payable to this fund.

V. ANSWERING SUMMONSES

- A. The attached abbreviated answer form, "Answer to Wage Deduction Summons (Exhibit D)", should be completed in lieu of the interrogatories on the reverse side of the affidavit; the original answer being sent to the appropriate court with a copy to the plaintiff's attorney. The answers must be signed by an authorized person with the employing agency and his signature must be notarized.

These answers must be forwarded to the appropriate court by the return date, as indicated on the summons. If no money was withheld, but will be withheld, a second answer must be forwarded to the court upon completion of withholding, with a copy to the plaintiff's attorney.

- B. Instructions for completing the "Answer to Wage Deduction Summons" (Exhibit D):
 - 1. If funds have been withheld:
 - a. Complete the heading using the information contained in the summons heading (including court, location, plaintiff, defendant, agency and case number);
 - b. Insert on line 1 the total amount withheld;
 - c. If there are no adverse claims made on these funds, check "No Adverse Claims". If a bankruptcy or other adverse claim has been received, check "Adverse Claims Attached" and attach documentation to Answer Form;
 - d. Complete agency name, address, telephone number, sign and notarize;
 - e. Forward to the appropriate court (re: State of Illinois Wage Deduction Answer) with a copy to the plaintiff's attorney.

2. If no funds are withheld:
 - a. Complete the heading as above;
 - b. Answer why no funds are available by selecting the proper paragraph and inserting that paragraph's letter in the parenthesis in statement number 3;
 - (1) If the defendant is not an employee, insert the letter "a".
 - (2) If, however, he was at one time an employee, use "b" and insert the termination date in the "b" paragraph.
 - (3) If the defendant earned no money during the withholding period subject to the deduction order, insert the letter "c".
 - (4) If a bankruptcy has been filed by the defendant, either Chapter 13, Wage earner or straight bankruptcy, Chapter 11, insert the bankruptcy case number and name and address of the court in paragraph "d" and insert the letter "d" in the parenthesis.
 - (5) If no deductions have been made due to prior summons(es), insert letter "e" in the parenthesis.
 - (6) Letter "f" is a miscellaneous paragraph. If no funds were withheld for reasons other than those cited in "a" through "e", state the reason and insert "f" in the parenthesis.
 - c. Complete agency name, address, telephone number, sign and notarize.
 - d. Forward to the appropriate court (re: State of Illinois Wage Deduction answer) with a copy to the plaintiff's attorney.

VI. PAYMENTS FROM GARNISHMENT FUND

- A. Upon receipt of either a certified copy or a duplicate signed copy of a court order entered by the appropriate court together with a letter of direction from the plaintiff's attorney, the employing agency will transmit such copy, the letter of direction and instructions to the Comptroller to pay the plaintiff.

For wage deduction proceedings in Cook, Lake, Will, McHenry, DuPage and Kane Counties, a Release (Satisfaction) of Judgment might substitute for the certified or duplicate signed copy of the court order.

- B. Upon receipt of a "Stipulation to Dismiss", which is shown to have been filed with the appropriate court, the employing agency should transmit a copy of the Stipulation to Dismiss with instructions to the Comptroller for release of monies pursuant to that Stipulation.

The instructions from the employing agency to the Comptroller are to include the employee's most current address.

C. Bankruptcy

1. Upon receipt of notification that an employee has entered into bankruptcy proceedings, deduction proceedings related to a wage deduction summons should be discontinued immediately. Proper notification requires that the bankruptcy has been filed with the court and must include the bankruptcy number and the name and address of the court. The employing agency will transmit a copy of the notification to the Comptroller.
2. Upon receipt of a "Turnover Order" in relation to a bankruptcy signed by a judge or referee in bankruptcy, the employing agency will transmit a copy of the turnover order and instructions to the Comptroller.

D. When an excessive amount has been withheld in relation to a wage deduction summons, the excess will be returned to the employee upon receipt by the Comptroller of a letter from the employing agency. This letter should include the amount withheld in error, an explanation of the error, a request that the money be refunded to the employee and the employee's most current address.

E. All instructions, letters and documents transmitted to the Comptroller must be signed by the payroll supervisor or other authorized person and forwarded to:

Office of the Comptroller
Operations Division
325 West Adams Street
Springfield, Illinois 62706

Attention: Accounting Operations

VII. NORMAL PROCESSING

- A. Upon determining the amount to be withheld, the payroll clerk should calculate the employee's voucher entries in the usual manner except for the entry of the wage deduction amount in field 66 of the voucher (levy and bankruptcy), the increase in Total Deduction, (field 67) and the decrease in the Amount of Warrant, (field 68). See Exhibit B, page 2.
- B. Each payroll voucher submitted to this office with a wage deduction entry must reference this fact with a notation on the payroll voucher distribution schedule. The reference should note the page number(s) and the employee(s) name(s). See Exhibit B, page 1.
- C. When the agency is notified of a wage deduction which does not appear on the payroll and for which a deduction is required, a determination will be made by the Comptroller as to whether the payroll can be adjusted by the vouchering agency without delaying payments to other

employees. Refer to Section VIII if adjustments cannot be made in a timely fashion.

- D. The following trailer record coding structure has been established for wage deduction, tax levies and bankruptcies. This coding structure must be used.

	<u>COMPTROLLER CODE</u>	<u>ACTUAL CODE</u>
Wage Deduction	97	001 through 099
Tax Levy	98	001 through 099
Bankruptcy	99	001 through 099

The trailer record entry for a wage deduction on the payroll voucher is to be entered as follows:

Line 1: Garnishment 659
Line 2: Judgment Creditor's name
Line 3: Social Security number and last name of employee

See Exhibit B, pages 3 and 4.

The Comptroller's Code (97) and the actual code (001, 002, 003, etc., through 099) is to be entered in the trailer record as 97 001, 97 002, etc.

- E. The amount of the wage deduction is to be entered in the "Amount of Warrant" field on line 1 on the trailer record entry.
- F. The actual code is to be assigned in a sequential manner as wage deductions appear on the payroll voucher.

VIII. SPECIAL PROCESSING

- A. The fact that a payroll is in process at the time of notification, and changes are not possible, does not remove the legal requirement that all monies due are subject to wage deductions. In the event a deduction should have been effected but processing constraints prevented doing so, the schedule should note the page number(s) and the employee name(s) and the notation: "Summons received, wage deduction not affected". See Exhibit B, page 1.

If the payroll cannot be adjusted, the Comptroller will process the payroll, create all warrants and follow the procedures listed below:

The net pay warrant of the employee who should have had the wage deduction applied will be cancelled for redeposit by the Comptroller. The cancelled warrant will be returned to the agency with the regular payroll warrants. The agency should prepare a supplemental payroll referencing only the employee(s) whose warrant(s) was cancelled. The supplemental payroll should be prepared to indicate the wage deduction action.

The supplemental payroll must carry all salary reversal data required to begin the salary reversal procedure. Since the employee records are identical in all respects, except the net pay warrant and the wage deduction trailer warrant, the procedure is simplified when the reversing entries are made on the supplemental payroll. See Exhibit C. Supplemental pay-rolls not incorporating the reversal data will be returned to the agency.

If the Comptroller has already released the salary warrants to the agency at the time of service, the agency should withhold the employee's net pay warrant, mark it cancelled for redeposit and prepare a supplemental payroll as indicated.

NOTE: It is imperative that procedures be established within an agency to insure that summonses are processed immediately upon receipt. The judgment creditor may have a right of action against the employer for any amounts not withheld after receipt of summons.

- B. In some instances the employer (agency) may be served with multiple wage deduction summonses for the same employee. Processing multiple wage deductions for the same employee should be handled in the following manner:
1. Wage deductions are to be applied on a priority (first come, first served) basis. The first summons received by the agency, as determined by the date and the time stamp, must be honored in its entirety before subsequent wage deductions can be honored.
 2. After a summons has been satisfied, any balance subject to deduction must be applied to the next wage deduction summons received by the agency for which a deduction is required.
 3. The entry on the voucher field 66 is a single entry of the sum of the amounts of the two trailer records. See Exhibit B, page 2 - Cooper, George.
 4. When processing multiple summonses for the same employee, there will be two wage deduction trailer records for the same employee on a single voucher; the first trailer record paying the balance of the first summons and the second trailer record paying the remainder to the second summons. See Exhibit B, page 4, entries for Cooper, George.
- The actual codes for these trailer records are to be identical.
- C. When a summons is in effect and a Tax Levy is received, the summons is to be applied as stated in these procedures and the Tax Levy is to be applied against the remaining net amount. See Exhibit B, pages 2 and 4 - Dunn, John.

When a Tax Levy is received prior to a summons, the levy is to be satisfied prior to effecting any wage deduction transactions.

IX. CALCULATION OF WITHHOLDING

A. Upon receipt of a summons, the agency should review the documents to determine what action is required. The agency should compute the amount exempt from wage deduction in accordance with:

1. Illinois Law (Illinois Revised Statutes, Chapter 62); and
2. Title III of the Federal Consumers Credit Protection Act, Exhibit A.

B. There are four ways to figure the amount exempt from wage deduction according to these laws. Use the one which leaves, in dollars or as a percent of salary, the most money for the employee:

1. \$65.00 per week (\$281.67 per month) if head of family; or
2. 85% of gross wages; or
3. 75% of "disposable earnings"; or
4. \$63.00 per week (\$263.00 per month) based upon 30 times the present federal minimum wage of \$2.10 per hour. (January 1, 1976 - \$66.00 per week or \$286.00 per month based on a minimum wage of \$2.20 per hour.)

Generally, state employees' wage deduction amounts will be calculated in one of two methods.

1. Illinois law exempts from withholding 85% of an employee's gross earnings, thus making 15% of gross subject to wage deduction.
2. Title III exempts from withholding 75% of disposable earnings, thus making 25% of disposable earnings subject to withholding. "Disposable earnings" is defined as "that part of the earnings of any individual remaining after deduction from those earnings of any amounts required by law to be withheld". (Gross earnings, minus federal tax, minus state tax, minus FICA, minus retirement equals "disposable earnings".)

X SUMMARY - NORMAL PROCESSING

- A. Wage deduction summons received, Comptroller notified, copies provided to interested parties.
- B. Employee earnings reviewed, withholding amount calculated.

STATE OF ILLINOIS
PAYROLL VOUCHER DISTRIBUTION
SCHEDULE
 (FORM NO. 2)

EXHIBIT B, page 1

DEPARTMENT: COMPTROLLER'S OFFICE				FOR PERIOD OF 2-16-75 thru 2-28-75					
PAYROLL NUMBER			DIVISION AND TITLE OF APPROPRIATION	VOUCHER NO.	FINANCE CODE				WARRANT NUMBER
FUND	DEPT.	APPRO.			FUND	ORG. A/C	OBJECT	AMOUNT	
001	04	500	PERSONAL SERVICES	99	001-36010-1120-0000-75				3,152.00
001	04	500	STATE EMP RETIREMENT SYS--STATE CONTRIBUTION	99	001-36010-1161-0000-75				54.02
001	04	500	STATE TEACHERS RETIREMENT SYS-- STATE CONTRIBUTION	99	001-36010-1165-0000-75				242.34
001	04	500	STATE EMP RETIREMENT SYS--STATE CONTRIBUTION--FICA	99	001-36010-1170-0000-75				49.37
<p>Wage Deductions for:</p> <p>James Bond page 1</p> <p>George Cooper page 1</p> <p>John Dunn page 1</p> <p>Robert Paul page 1</p> <p>Summons received, wage deduction not applied.</p> <p>Jane Smith page 1</p>									

STATE AUDITOR

STATE OF ILLINOIS
PAYROLL VOUCHER DISTRIBUTION
SCHEDULE
 (FORM NO. 2)

EXHIBIT C, page 1

DEPARTMENT: COMPTROLLER'S OFFICE				SUPPLEMENTAL		FOR PERIOD OF 2-16-75 thru 2-28-75				
PAYROLL NUMBER			DIVISION AND TITLE OF APPROPRIATION	VOUCHER NO.	FINANCE CODE				WARRANT NUMBER	
FUND	DEPT.	APPRO.			FUND	ORG. A/C	OBJECT	AMOUNT		
001	04	500	PERSONAL SERVICES	99	001-36	10-1120	0000-75	516.50		
			Wage deduction for Jane Smith page 1							

STATE AUDITOR

EXHIBIT D

ANSWER TO WAGE DEDUCTION SUMMONS
(This form may be duplicated)

IN THE CIRCUIT COURT OF _____

(Plaintiff)

—vs—

(Defendant)

and

(Agency)
Employer

NO. _____

ANSWER TO WAGE DEDUCTION SUMMONS

1. Total amount withheld:

\$ _____

2. _____ No adverse claims

_____ Adverse claims attached

3. NO funds were withheld for the reason stated in subparagraph ().

a. Defendant is not shown to be or to have been on the payroll of employer.

b. Defendant's employment relationship with employer ended on the following date: _____

c. Defendant earned no money during the pay period subject to Deduction Order.

d. Defendant filed his petition in bankruptcy in the U.S. District Court and all funds, if any, not retained by the employer for said defendant are subject to the prior jurisdiction of the Federal Court pending determination of the bankruptcy, to-wit:

Bankruptcy No. _____

Name and address of Court _____

e. No money has been withheld due to prior summons(es). An answer will be forwarded upon the completion of the 60 day withholding period for the summons referenced.

f. Other

WHEREFORE, Employer having fully answered, prays that an order be entered discharging it herein.

Agency _____

Address _____

Telephone _____

_____, being first duly sworn deposes and says that he is authorized agent of

_____, employer in said cause, and is authorized and

(Agency)
instructed to make this affidavit; that he has read the foregoing and that the same is true to the best of his knowledge, information and belief.

Subscribed and sworn to before me
this _____ day of _____, 19 _____

(Authorized Agency Signature)

(Notary Public)

TITLE III OF THE FEDERAL CONSUMER CREDIT PROTECTION ACT
RESTRICTIONS ON GARNISHMENT

Sec. 301. (a) The Congress finds:

(1) The unrestricted garnishment of compensation due for personal services encourages the making of predatory extensions of credit. Such extensions of credit divert money into excessive credit payments and thereby hinder the production and flow of goods in interstate commerce.

(2) The application of garnishment as a creditors' remedy frequently results in loss of employment by the debtor, and the resulting disruption of employment, production, and consumption constitutes a substantial burden on interstate commerce.

(3) The great disparities among the laws of the several States relating to garnishment have, in effect, destroyed the uniformity of the bankruptcy laws and frustrated the purposes thereof in many areas of the country.

(b) On the basis of the findings stated in subsection (a) of this section, the Congress determines that the provisions of this title are necessary and proper for the purpose of carrying into execution the powers of the Congress to regulate commerce and to establish uniform bankruptcy laws.

(82 Stat. 163; 15 U.S.C.1671.)

Sec. 302. For the purposes of this title:

(a) The term "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program.

(b) The term "disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld.

(c) The term "garnishment" means any legal or equitable procedure through which the earnings of any individual are required to be withheld for payment of any debt.

(82 Stat.163; 15 U.S.C.1672.)

Sec. 303. (a) Except as provided in subsection (b) and in section 305, the maximum part of the aggregate disposable earnings of an individual for any workweek which is subjected to garnishment may not exceed

(1) 25 per centum of his disposable earnings for that week, or

(2) the amount by which his disposable earnings for that week exceed thirty times the Federal minimum hourly wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 in effect at the time the earnings are payable, whichever is less. In the case of earnings for any pay period other than a week, the Secretary of Labor shall by regulation prescribe a multiple of the Federal minimum hourly wage equivalent in effect to that set forth in paragraph (2).

(b) The restrictions of subsection (a) do not apply in the case of

(1) any order of any court for the support of any person.

(2) any order of any court of bankruptcy under chapter XIII of the Bankruptcy

Act.

(3) any debt due for any State or Federal tax.

(c) No court of the United States or any State may make, execute, or enforce any order or process in violation of this section.

(82 Stat.163; 15 U.S.C.1673.)

Sec. 304. (a) No employer may discharge any employee by reason of the fact that his earnings have been subjected to garnishment for any one indebtedness.

(b) Whoever willfully violates subsection (a) of this section shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

(82 State. 163; 15 U.S.C.1674.)

Sec. 305. The Secretary of Labor may by regulation exempt from the provisions of section 303(a) garnishments issued under the laws of any State if he determines that the laws of that State provide restrictions on garnishment which are substantially similar to those provided in section 303(a).

(82 Stat.164; 15 U.S.C. 1675.)

Sec. 306. The Secretary of Labor, acting through the Wage and Hour Division of the Department of Labor, shall enforce the provision of this title.

(82 Stat.164; 15 U.S.C. 1676.)

Sec. 307. This title does not annul, alter, or affect, or exempt any person from complying with, the laws of any State

(1) prohibiting garnishments or providing for more limited garnishments than are allowed under this title, or

(2) prohibiting the discharge of any employee by reason of the fact that his earnings have been subjected to garnishment for more than one indebtedness.

(82 Stat.164; 15 U.S.C. 1677.)